Danner, Ward

From: Huetteman, Tom
Sent: Tuesday, December 15, 2015 1:06 PM
To: Maez, Jan
Subject: FW: Your recent emails - 11/19/15 to 12/8/15
Attachments: Rep. Ted Lieu - EPA Response and Enclosures to AL-16-000-1199.pdf

Jan,

I am forwarding this for your information since it refers to PCB work at Malibu schools.

Sincerely,

Tom Huetteman, Assistant Director
Land Division, USEPA Region 9
415-972-3751

From: Huetteman, Tom
Sent: Tuesday, December 15, 2015 12:59 PM
To: 'jen@americaunites.com'
Cc: Armann, Steve ; Scott, Jeff ; Lieben, Ivan ; Wilson, Patrick
Subject: Your recent emails - 11/19/15 to 12/8/15

Dear Jennifer,

The following provides responses to emails you sent EPA Region 9 between November 19, 2015 and December 08, 2015.

Sincerely,

Tom Huetteman, Assistant Director
Land Division, USEPA Region 9
415-972-3751

Response to November 19, 2015 email to Steve Armann:

The approach taken to address PCBs at Malibu schools and the related rationale are provided in the District's Plan and the related approval by EPA on October 31, 2014 and the supplement to that approval on November 2, 2015 (both approvals are included in the attached letter to Congressional Representative Ted Lieu). Those approvals also make the finding that the District's Plan is consistent with EPA's national guidance, which further outlines the EPA's recommended approach to addressing PCBs in schools and the rationale for these recommendations. Per this guidance (see http://www3.epa.gov/epawaste/hazard/tsd/pcbs/pubs/caulk/pdf/pcb_bdg_mat_qa.pdf), the primary purpose of collecting air samples is to determine if PCB concentrations in air exceed the "Exposure Levels for Evaluating PCBs in Indoor School Air." The District has taken over 200 air samples. None of the air samples taken have exceeded the applicable age specific exposure levels in this guidance.

With regard to your reference to the August 24, 2015 policy, I assume you are referencing the guidance, "How to Test for PCBs and Characterize Suspect Materials." This guidance is part of a larger guidance related to "Steps to Safe Renovation and Abatement of Buildings that Have PCB-Containing Caulk." The guidance is applicable in those situations where renovation or abatement activities are planned. Per our PCB guidance for schools, "EPA recommends that PCB-

containing caulk and other PCB-containing building materials be removed during planned renovations and repairs (when replacing windows, doors, roofs ventilation, etc.)."

The cleaning practices implemented by the District are outlined in Section C.1 of their plan. This plan is consistent with EPA's national guidance. The national guidance recommends that Best Management Practices, including cleaning, occur before testing. Cleaning BMPs are primarily intended to reduce dust related exposures.

The dermal exposure and incidental ingestion pathways are being addressed at MHS and JCES in a number of ways. As identified in our Oct 31, 2014 approval, "the primary health concerns from PCBs in building materials derive from inhalation of contaminated air; and secondarily from contact with PCBs in dust and subsequent incidental ingestion." To address these pathways national guidance recommends implementation of Best Management Practices (BMPs). The BMPs are intended to reduce the direct contact with PCB containing dust on contact surfaces and associated dermal exposures and incidental ingestion. See the national guidance for further information regarding exposure pathways.

Finally, please see our response to Congressman Lieu regarding the most recent testing results which also includes our TSCA approvals.

Response to November 30, 2015 and December 8, 2015 emails to Tom Huetteman:

Regarding question #1, please see the EPA document, "PCBs in Building Materials – Questions and Answers" (http://www3.epa.gov/epawaste/hazard/tsd/pcbs/pubs/caulk/pdf/pcb_bdg_mat_qa.pdf) for a discussion of PCBs in air and dust. Regarding question #2, health-based screening levels are commonly developed across many EPA programs using EPA's risk assessment guidance and related scientific information on risk. For more information, see http://www.epa.gov/risk. Regarding question #3 (from 12/8/15 email), please see EPA's TSCA approvals dated October 31, 2014 and November 2, 2015, attached to this email.

Response to November 30, 2015 and December 8, 2015 emails to Patrick Wilson:

The methodology for deriving the 600 ng/m3 airborne guideline for PCBs in schools is summarized at http://www3.epa.gov/pcbsincaulk/exposure_levels.htm and was derived using the PCB Exposure Estimation Tool created by EPA's Office of Research & Development, National Center for Environmental Assessment. That tool was provided to you in an email on September 15, 2015. The level considered background exposures at school and away from school from multiple exposure pathways. The age-specific public health levels are anticipated to maintain PCB exposure below the "Reference Dose" from the combined exposures at schools and from other sources. In general, the reference dose represents the amount of daily PCB exposure to the human population (including sensitive subgroups) that is likely to be without an appreciable risk of deleterious effects during a lifetime.

Additional detailed information regarding EPA's PCB reference dose and the manner in which it was derived from peer-reviewed scientific studies can be found in the Agency's Integrated Risk Information System (IRIS) database via this link:
http://cfpub.epa.gov/ncea/iris/iris_documents/documents/subst/0294_summary.pdf#nameddest=canceroral
As noted in this file, "PCBs are absorbed through ingestion, inhalation, and dermal exposure, after which they are transported similarly through the circulation (ATSDR, 1993). This provides a reasonable basis for expecting similar internal effects from different routes of environmental exposure. Information on relative absorption rates suggests that differences in toxicity across exposure routes are small. The principal uncertainty, though, is using commercial mixtures to make inferences about environmental mixtures."

Email to Steve Armann

From: America Unites <jen@americaunites.com>
Date: November 19, 2015 at 12:29:59 PM PST

To: Steve Armann <Armann.Steve@epa.gov>
Cc: Tom Huetteman <Huetteman.Tom@epa.gov>, Jared Blumenfeld <blumenfeld.jared@epa.gov>, Jeff Scott <scott.jeff@epa.gov>, Hope Edelman <hopeedelman@gmail.com>, Cami Winikoff <cami@sobini.com>, Ken Miller <kmiller@gormanmiller.com>
Subject: Re: MHS: Special cleaning moments before dust and air testing for PCBs?

Dear Steve:

Would you kindly and directly answer the following questions that were originally posed to you on Dec 17. 2014, overt 11 months ago

1. First: do you agree or disagree? The goal of air testing is not to manipulate the environment to achieve the results desired, it is to identify if rooms have potential PCB sources.

   Do you think it is acceptable to do a special cleaning just prior to testing, wiping away any PCB evidence that would show what children and staff are being exposed to for the months prior to the air and dust testing?

2.

   This pre-cleaning makes the test results bias, manipulating statistical information and manipulating conclusions that result from it. Is this what EPA considers good science?

   Without knowing where the PCBs are, dermal exposure and incidental ingestions can be occurring everyday for students and staff, why haven't you addressed this?

   It's all over EPA website, and Jeff Scott addressed it in an internal letter to USEPA headquarters in Aug 2014, Region 1 addresses it in each of their School approvals and region 2 addresses it their version of BMP. How are you, region 9 protecting from direct dermal exposure and direct incidental digestions from contact with PCB contaminated buildings materials?

3. Now that PCBs have been identified by both independent parties and the district, EPA Policy dated Aug 24, 2015 clearly provides a plan to do a full characterization and testing of suspect building materials. it has been 2 years since the EPA was informed of serious violations of TSCA and since then only more violations have been added to this list, when will the EPA require a full responsible removal, not an expensive and inadaquate piece-meal strategy that the district has done up to this point, that brings MHS in full compliance with Federal law and EPA regulations as 40 CFR 761.30 states that PCBs use is unauthorized and dangerous to human health (students and teachers) and the environment.

We will continue to ask these questions until EPA region 9 answers them directly with full disclosure otherwise we will be forced to elevate these questions to our elected officials and ask them to require your answer. If EPA region 9 has made these determination and approvals, then your reasoning should be sound and back by evidence to make those decisions. These are very specific questions that should have been addressed by your team prior to issuing any approvals and letters to the district. We are simply asking questions that the EPA should have the answers to and we expect full disclose.

Since it has already been 11 months and we are sure you were hoping we would stop asking the same questions and you could ignore this, which we assure you will not happen, we are respectfully asking that you answer these questions by Tuesday, November 24th, 2015.

Please reply immediately with acknowledgment of receipt of this email.

Respectfully

Jennifer deNicola on behalf of
America Unites for kids

On Feb 19, 2015, at 8:50 AM, Jen@mu <jen@malibuunites.com> wrote:

Steve,

This email does not answer or respond to the 3 emails I sent you in Dec 2014.

First: do you agree or disagree?
The goal of air testing is not to manipulate the environment to achieve the results desired, it is to identify if rooms have potential PCB sources (at least that is what the EPA website says).

Do you think it is perfectly fine to do a special cleaning, wiping a break any PCB evidence that would show what children and staff are being exposed to for the months prior to the air testing and just testing? This cleaning makes the test results bias, manipulating statistical information and conclusions that result from it. Is this what you consider good science?

What does the EPA consider an immediate health threat regarding PCBs? (ie: like finding a fiber of asbestos)?

Without knowing where the PCBs are, dermal exposure can be occurring everyday and students and staff, why haven't you addressed this? It's all over your website, and Jeff Scott addressed it in an internal letter to USEPA headquarters, region 1 addresses it in each of their approvals with Schools, region 2 addresses it their version of BMP. How are you, region 9 protecting from dermal exposure?

In PS199, Air testing was done in a series approx every 10 days and the air levels were dramatically different. Air testing is not the only factor in exposure. Air testing was first used for PCBs after proper remediation occurred to ensure no additional exposure. Now you are using it as A litmus test or remediation tactic. There is no basis for this in the law. If air test find PCB is over background levels then that would indicate a potential source in that location. The point of Tsca is to remove PCBs over 50 ppm because it is a danger to human health and the environment. Why in any place let alone a school with the most sensitive population of developing brains and bodies, would you look to find ways to leave them in place? In our school we are very aware that there is contamination in 10 buildings over 50 ppm. This fact cannot be ignored. It is now the duty of the EPA to ensure that all classrooms in these buildings are properly tested and PCBs identified for removal. When PCB building material is identified, like color, kind should and can be assumed to contain similar amounts of PCBs in violation of federal law. It is your job to ensure a full examination, testing, and compliance with federal law by removal of PCBs over 50 ppm and any remediation waste to 1 ppm. It have been 1 1/2 years since the EPA was informed, When will this full responsible removal occur?

Respectfully,

Jennifer deNicola
America Unites for kids
www.AmericaUnites.com
Malibu Unites
310-436-6000

"Children's right to a great education includes the freedom to learn in an environment that does not jeopardize their health."

On Feb 10, 2015, at 11:32 AM, Armann, Steve <Armann.Steve@epa.gov> wrote:

Jennifer, this email is in response to the three emails you sent to me on February 8, 2014.

1. The District's general sampling approach for the winter break is outlined on their website. Please look at the December 19, 2014 notice. In addition, the procedures used for this sampling event were the same procedures used in the Summer. Rooms were closed and lights turned on for 24 hours prior to testing. For more detail on the procedures, please see the District's final report for the Summer cleanup and sampling activities.
2. With regarding to the District's cleaning practices, please see the applicable section of the District's cleanup plan submitted to EPA in July 2014. Section C1 identifies the Best Management Practices, including cleaning procedures that will be implemented. Section C1 also refers to details contained in the District's April 2014 plan. The District's cleaning plan includes much more than one annual BMP cleaning. Please contact the District regarding their statement in the press release.
3. The Inventory of Potentially PCB- Impacted Materials is located in Appendix C of the Final report. There are a couple different "Appendix C", so the best way to find the reports is to search for page 319 as listed in Adobe Acrobat (Table C.1 – Great White Shark Building). Subsequent Appendixes contain inventories for other buildings.

Steven S. Armann, Manager
Corrective Action Office (LND-4-1)
USEPA Region 9
75 Hawthorne Street
San Francisco, CA 94105

Phone: 415-972-3352
Fax: 415-947-3533
Email: armann.steve@epa.gov

From: Jennifer deNicola [mailto:jen@malibuunites.com]
Sent: Sunday, February 08, 2015 12:59 PM
To: Armann, Steve; Huetteman, Tom; Scott, Jeff; Blumenfeld, Jared
Cc: Paula Dinerstein; Sabrina Venskus; Hope Edelman; Kurt Fehling; Ken Miller; Cami Winikoff; NiColle Holland
Subject: Re: MHS: Special cleaning moments before dust and air testing for PCBs?

Steve:

I have not received a response from you regarding several emails I sent you in December. Maybe they have gotten buried under many emails, so I am going to resend them all. Please respond as quickly as possible.

Respectfully,

Jennifer deNicola
President of America Unites for Kids
www.AmericaUnites.com
Malibu Unites
Office 310-436-6000
jen@AmericaUnites.com
Direct: 310-436-6001
Like Us on Facebook
Follow Us on Twitter

"Children’s right to a great education includes the freedom to learn in an environment that does not jeopardize their health"

On Dec 17, 2014, at 2:49 PM, Jen@mu <jen@malibuunites.com> wrote:

Dear Steve:
I received the email below that was sent to the school informing the teachers to remove everything off their desks so that a special cleaning can be done. Were you aware that this cleaning was going to occur moments before the samples were taken?
This is being done days before dust and air testing which will bias results as the results will not show what students and staff are regularly being exposed to. The air and dust testing is being done as part of a makeshift study by environ to see whether not best management practices (which does not include special cleaning) is effective in reducing PCBs from Air and dust. I say makeshift, because there is no plan in place to ensure that regular operating procedures of best management practices are being conducted and testing is random and being biased by special cleaning. The goal of air testing is not to figure out ways to game the system, but to identify if rooms have PCB sources and then to identify them if PCBs are found (at least that is what the EPA website says).
Why hasn't the public seen a plan for testing this winter break? If this testing plan is legitimate then why hasn't been vetted by other scientific experts and been seen by all the stakeholders? What is the EPA and environ doing behind closed doors? If testing is happening on Friday, then there should be a plan with specific rooms that are being tested and the stakeholders should have a copy of this, but you say you don't know what rooms Environ is testing. Environ in no way should be able to test randomly as they go along. There are scientific guideline required for testing and for a pilot study. This plan must be vetted by other scientists to ensure it is scientifically valid. Environ can not be validating their own work. There are too many unknowns to make what Environ has done a pilot study: which rooms were tested each round? do they have PCB sources to start with? Has BMP cleaning been done constantly? Have the specialty cleaners come in? Where the rooms shut tight for 24-48 hours prior to testing occurring? Is outside air being introduced during testing? And so many other unknowns...
Why is environ working in a vacuum with only contact to the EPA and why is the EPA allowing this when you all promised transparently and community involvement?
I left you a voicemail on Monday, please call me by close of business Thursday, before testing begins and school lets out for the holidays.
Respectfully,
Jennifer deNicola
Malibu Unites
America Unites for KIDS
www.MalibuUnites.com
From: Harry, Elisa
Sent: Tuesday, December 16, 2014 2:01 PM
To: Ford, Nedra
Cc: Venable, Terance; Suaste, Eduardo; Frazier, Jeffrey; Jackson, David
Subject: Cleaning Crew for Malibu High

Hello Nedra!

I hope you are staying dry in this rain! I just wanted to inform you that we will have a special crew helping wipe down the school starting today, ***Tuesday, December 16th through Friday, December 19th.*** Please inform your teachers and staff to have their flat surfaces cleared so that the work can be performed.

Sincerely,

Elisa Harry
Administrative Assistant | Operations
Santa Monica-Malibu School District
Maintenance & Operations
1651 16th St.
Santa Monica, CA 90404
T: (310) 450-8338 ext. **70-211**
F: (310) 450-9287

Email to Patrick Wilson

From: Jennifer DENICOLA [mailto:jd18@me.com]
Sent: Tuesday, December 08, 2015 10:46 PM
To: Wilson, Patrick <Wilson.Patrick@epa.gov>; Scott, Jeff <Scott.Jeff@epa.gov>; Blumenfeld, Jared <BLUMENFELD.JARED@EPA.GOV>
Cc: Hope Edelman <hopedel@hotmail.com>; Cami Winikoff <cami@sobini.com>; Ken Miller <kmiller@gormanmiller.com>; Paula Dinerstein <pdinerstein@peer.org>; David Carpenter <dcarpenter@albany.edu>; Jamie Court <jamie@consumerwatchdog.org>; Liza Tucker <Liza@consumerwatchdog.org>
Subject: Fwd: Malibu High

Dear Patrick:

This is the 2nd email requesting you to answer the following questions below. If you do not have these scientific studies than please let us know.

Dear Jeff and Jared: Would you please follow up with Patrick and ensure that these questions are answered promptly.

Thank you,

Jennifer deNicola

Begin forwarded message:

From: Jennifer DENICOLA <jd18@me.com>
Date: November 30, 2015 at 2:31:38 AM PST
To: Patrick Wilson <Wilson.Patrick@epa.gov>
Cc: David Carpenter <dcarpenter@albany.edu>, Larry Robertson <larry-robertson@uiowa.edu>, Hope Edelman <hopedel@hotmail.com>, Cami Winikoff <cami@sobini.com>, Ken Miller <kmiller@gormanmiller.com>, Paula Dinerstein <pdinerstein@peer.org>
Subject: Fwd: Malibu High

Patrick:

I hope you had a great Thanksgiving weekend.

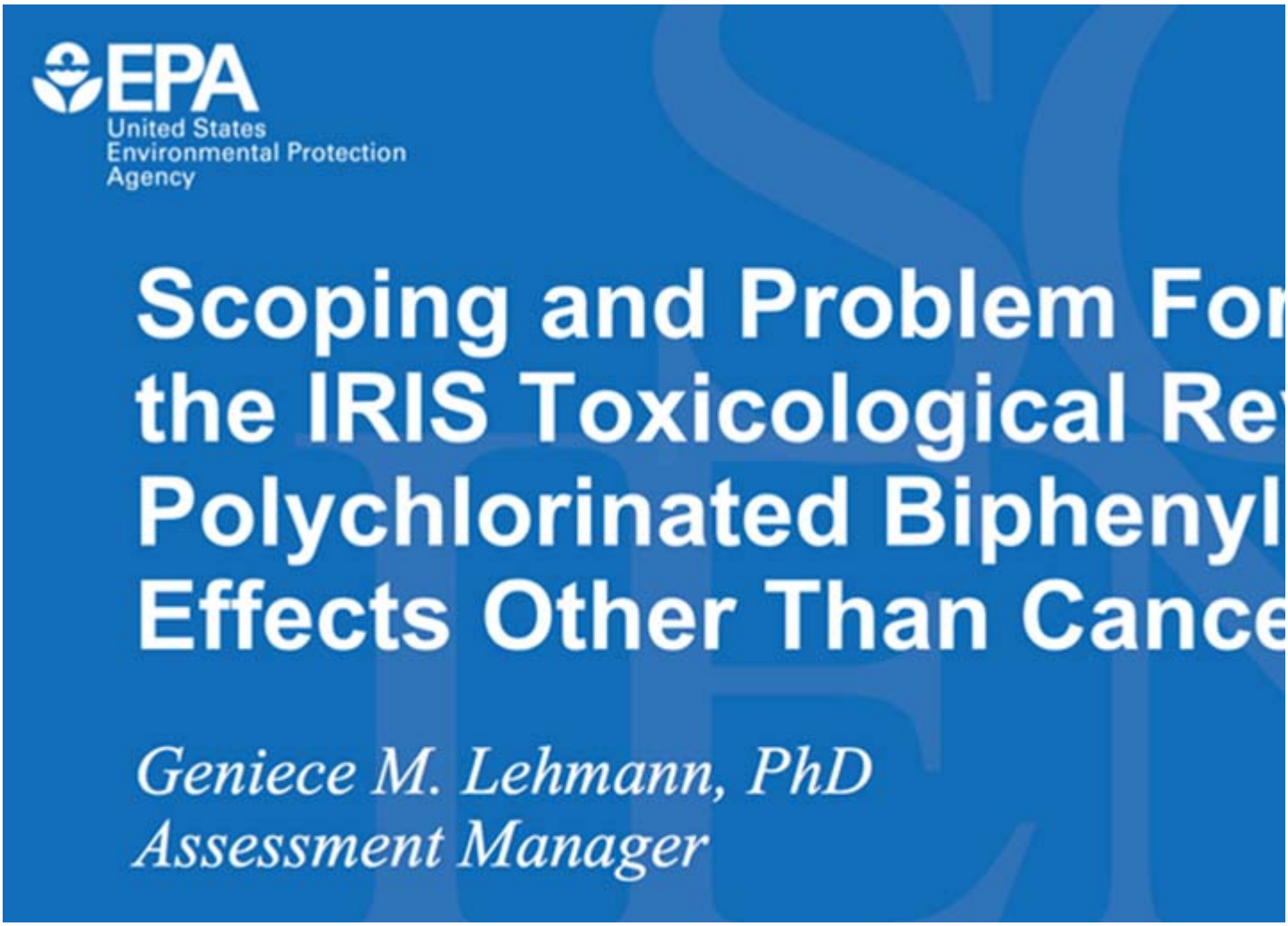
As I am sorting through emails, this came back to my attention. If your determinations of PCB risk is made by IRIS as you state here, and IRIS has stated that they do not have non-cancerous inhalation reference dose for PCB (see below and current IRIS study June 17, 2015), and there are very few PCB inhalation studies (see Genience Lehman below) then please provide me with the scientific research and studies that support up to 600ng of PCBs in the air as safe to health (both cancer and non-cancer) for children, pregnant or nursing women, those in their reproductive years, and the sensitive population of special education children with auto-immune disease.

In addition to this, since PCB exposure to does not happen in a vacuum, would you please provide me with studies that support cumulative exposure pathways for PCBs and their interactions with other chemicals that children and teachers come into contact with?

Thank you in advance for providing me this very important information in an expedited manner.

Respectfully,

Jennifer deNicola
America Unites for Kids
310-436-6000



- There are very few PCB inhalation

EPA United States Environmental Protection Agency

Uncertainties in RfC Deriva from Available PCB I

- **Human variation**
  - Susceptibility may vary across the human popu available data may not be representative of inc susceptible to the effect
- **Animal-to-human extrapolation**
  - Toxicokinetic differences between humans and addressed by standard dosimetric adjustment, toxicodynamic differences to be addressed
- **Dose-response analysis based on a single dose**
  - Available studies were all single-dose, POD wo
  - One study identified a NOAEL, but did not asse affected in the other two studies
- **Available studies were of subchronic or short-te**
- **Incomplete database**
  - A database is often considered to be incomplet toxicity study and a two-generation reproductio

IRIS Discusses Non-Cancer Health Effects of PCBs

On June 17th and 18th, 2015, the US EPA's Integrated Risk Information System (IRIS) program held a public meeting to discuss scientific issues surrounding the non-cancer health effects of polychlorinated biphenyls (PCBs). The topics addressed included: (1) the impact of congener profile on the toxicity of PCB Mixtures (including mechanism of action), (2) the evaluation of epidemiological studies for PCB dose-response assessment, (3) potential for hazard identification and dose-response assessment for PCB exposure via inhalation, (4) suitability of available toxicokinetic models for reliable route-to-route, interspecies, and/or intraspecies extrapolation, and (5) potential toxicokinetic models or methods to inform evaluations of human susceptibility and estimate the relationship between continuous daily maternal PCB intake and milk PCB concentrations in humans. Please see this link for more information.

Begin forwarded message:

From: "Wilson, Patrick" <Wilson.Patrick@epa.gov>
Date: November 14, 2013 at 10:12:49 AM PST
To: Jennifer deNicola <jd18@me.com>
Subject: RE: Malibu High

Good Morning Jennifer,

Happy Thursday to you!

I had an opportunity to examine the Removal Action Completion Report for the contaminated media at Malibu High School. Thank you for providing all of this documentation.

Please feel free to give me a call at anytime today to discuss any aspects of the report that you may want additional information on. I'd also like to follow-up with you to discuss & clarify any of the information that we transmitted your way yesterday. A number of those links or web sites are intended for individuals with a rather sophisticated background in toxicology or environmental cleanups – so it would be no problem if you'd like to discuss some of the more obscure documents or concepts in detail.

Finally, I should share with you a link to EPA's nationwide & peer-reviewed database for the health impacts associated with exposure to toxic chemicals. This database is called IRIS or the Integrated Risk Information System. We use the information in this system to arrive at the guideline levels that we discussed yesterday (safe concentrations in residential & industrial air, water & soils). The specific IRIS file for the type of PCB found at Malibu High School can be found at: http://www.epa.gov/iris/subst/0389.htm

Looking forward to speaking with you at your convenience Jennifer.

Best Regards…

..patrick wilson

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United States Environmental Protection Agency

Patrick Wilson, Ph.D., M.P.H. |**Senior Regional Toxicologist | Regional Incident Coordination Team**
415.972.3354 | wilson.patrick@epa.gov
US EPA Region IX | 75 Hawthorne St. (WST-5) San Francisco, CA 94105-3901
http://www.epa.gov/region9/
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From: Jennifer deNicola [mailto:jd18@me.com]
Sent: Wednesday, November 13, 2013 6:03 PM
To: Wilson, Patrick
Subject: Re: Malibu High

http://fipcontractors.smmusd.org/Data/Sites/6/documents/malibupublicnotice/removalactioncompletionreport-1.pdf

On Nov 13, 2013, at 5:28 PM, Wilson, Patrick wrote:

Good Afternoon Jennifer,

It was a pleasure speaking with you this afternoon regarding your concerns about PCB contamination in your community.

Consistent with our conversation, please consider examining the following EPA guidance documents & recommendations. As we discussed, this information is frequently confusing so please do not hesitate to contact me directly so that we can offer context & clarifications.

Best Regards…

..patrick wilson

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Patrick Wilson, Ph.D., M.P.H. |**Senior Regional Toxicologist | Regional Incident Coordination Team**
415.972.3354 | wilson.patrick@epa.gov
US EPA Region IX | 75 Hawthorne St. (WST-5) San Francisco, CA 94105-3901
http://www.epa.gov/region9/
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1. EPA Regional Screening Levels (the health-based concentration for chemicals & contaminants in residential & industrial soils, residential & industrial air, & water): http://www.epa.gov/reg3hwmd/risk/human/rb-concentration_table/Generic_Tables/docs/master_sl_table_run_MAY2013.pdf

2. Agency for Toxic Substances & Disease Registry (ATSDR) Toxicological Profile for PCBs (please see the Public Health Statement): http://www.atsdr.cdc.gov/PHS/PHS.asp?id=139&tid=26

3. Recommended Toxicity Equivalence Factors (TEFs) for Human Health Risk Assessments of Dioxin-Like Compounds (EPA guidance document on the method & procedure for characterizing the hazards associated with the co-planar or dioxin-like PCB Congeners): http://www.epa.gov/raf/files/tefs-for-dioxin-epa-00-r-10-005-final.pdf
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4. EPA guidance document providing reference to background PCB levels nationwide: ("Pilot Survey of Polychlorinated dibenzo-p-dioxins, polychlorinated dibenzo furans, Polychlorinated biphenyls, & Mercury in Rural Soils of the U.S."): https://www.google.com/#q=epa+pilot+survey+of+levels+of+dioxins%2C+furans+PCBs+in+rural+soils+of+us

5. PCB Powerpoint presentation to NASA's Ames/Moffet Field Research Facility: http://www.slideshare.net/sbwms/epa-presentation-to-the-moffett-field-restoration-advisory-board-on-may-15-2008-giving-background-on-polychloronated-biphenyls-pcbs

From: Jennifer deNicola [mailto:jd18@me.com]
Sent: Wednesday, November 13, 2013 3:05 PM
To: Wilson, Patrick
Subject: Malibu High

Dear Dr. Patrick Wilson:

My name is Jennifer deNicola and I am with the Malibu Task Force. I would like to speak to you sometime today regarding the situation at Malibu High School before the meeting I have tomorrow morning.

Please call me at 310-848-5400. Anytime is good.

Thank you,

Jennifer deNicola
Malibu Schools Environmental Task Force
310-848-5400
jd18@me.com

Email to Patrick Wilson

From: Jennifer DENICOLA <jd18@me.com>
Sent: Monday, November 30, 2015 2:31 AM
To: Wilson, Patrick
Cc: David Carpenter; Larry Robertson; Hope Edelman; Cami Winikoff; Ken Miller; Paula Dinerstein
Subject: Fwd: Malibu High

Patrick:

I hope you had a great Thanksgiving weekend.

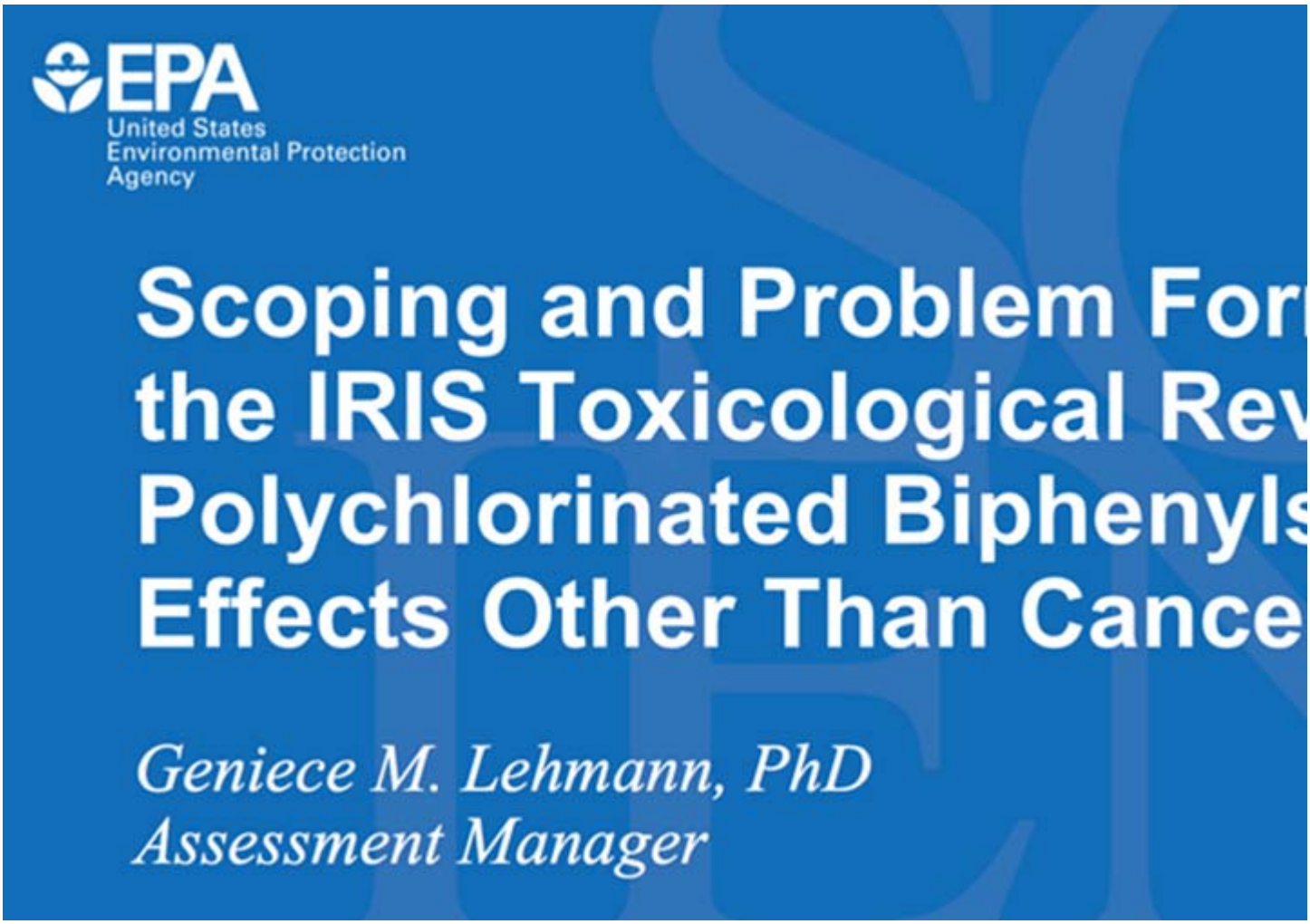
As I am sorting through emails, this came back to my attention. If your determinations of PCB risk is made by IRIS as you state here, and IRIS has stated that they do not have non-cancerous inhalation reference dose for PCB (see below and current IRIS study June 17, 2015), and there are very few PCB inhalation studies (see Genience Lehman below) then please provide me with the scientific research and studies that support up to 600ng of PCBs in the air as safe to health (both cancer and non-cancer) for children, pregnant or nursing women, those in their reproductive years, and the sensitive population of special education children with auto-immune disease.

In addition to this, since PCB exposure to does not happen in a vacuum, would you please provide me with studies that support cumulative exposure pathways for PCBs and their interactions with other chemicals that children and teachers come into contact with?

Thank you in advance for providing me this very important information in an expedited manner.

Respectfully,

Jennifer deNicola
America Unites for Kids
310-436-6000



- There are very few PCB inhalatior

EPA United States Environmental Protection Agency

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IRIS Discusses Non-Cancer Health Effects of PCBs

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Begin forwarded message:

From: "Wilson, Patrick" <Wilson.Patrick@epa.gov>
Date: November 14, 2013 at 10:12:49 AM PST
To: Jennifer deNicola <jd18@me.com>
Subject: RE: Malibu High

Good Morning Jennifer,

Happy Thursday to you!

I had an opportunity to examine the Removal Action Completion Report for the contaminated media at Malibu High School. Thank you for providing all of this documentation.

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Looking forward to speaking with you at your convenience Jennifer.

Best Regards…

..patrick wilson

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United States Environmental Protection Agency

Patrick Wilson, Ph.D., M.P.H. |**Senior Regional Toxicologist | Regional Incident Coordination Team**
415.972.3354 | wilson.patrick@epa.gov
US EPA Region IX | 75 Hawthorne St. (WST-5) San Francisco, CA 94105-3901
http://www.epa.gov/region9/
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From: Jennifer deNicola [mailto:jd18@me.com]
Sent: Wednesday, November 13, 2013 6:03 PM
To: Wilson, Patrick
Subject: Re: Malibu High

http://fipcontractors.smmusd.org/Data/Sites/6/documents/malibupublicnotice/removalactioncompletionreport-1.pdf

On Nov 13, 2013, at 5:28 PM, Wilson, Patrick wrote:

Good Afternoon Jennifer,

It was a pleasure speaking with you this afternoon regarding your concerns about PCB contamination in your community.

Consistent with our conversation, please consider examining the following EPA guidance documents & recommendations. As we discussed, this information is frequently confusing so please do not hesitate to contact me directly so that we can offer context & clarifications.

Best Regards…

..patrick wilson

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Patrick Wilson, Ph.D., M.P.H. |**Senior Regional Toxicologist | Regional Incident Coordination Team**
415.972.3354 | wilson.patrick@epa.gov
US EPA Region IX | 75 Hawthorne St. (WST-5) San Francisco, CA 94105-3901
http://www.epa.gov/region9/
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1. EPA Regional Screening Levels (the health-based concentration for chemicals & contaminants in residential & industrial soils, residential & industrial air, & water): http://www.epa.gov/reg3hwmd/risk/human/rb-concentration_table/Generic_Tables/docs/master_sl_table_run_MAY2013.pdf

2. Agency for Toxic Substances & Disease Registry (ATSDR) Toxicological Profile for PCBs (please see the Public Health Statement): http://www.atsdr.cdc.gov/PHS/PHS.asp?id=139&tid=26

3. Recommended Toxicity Equivalence Factors (TEFs) for Human Health Risk Assessments of Dioxin-Like Compounds (EPA guidance document on the method & procedure for characterizing the hazards associated with the co-planar or dioxin-like PCB Congeners): http://www.epa.gov/raf/files/tefs-for-dioxin-epa-00-r-10-005-final.pdf
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4. EPA guidance document providing reference to background PCB levels nationwide: ("Pilot Survey of Polychlorinated dibenzo-p-dioxins, polychlorinated dibenzo furans, Polychlorinated biphenyls, & Mercury in Rural Soils of the U.S."): https://www.google.com/#q=epa+pilot+survey+of+levels+of+dioxins%2C+furans+PCBs+in+rural+soils+of+us

5. PCB Powerpoint presentation to NASA's Ames/Moffet Field Research Facility: http://www.slideshare.net/sbwms/epa-presentation-to-the-moffett-field-restoration-advisory-board-on-may-15-2008-giving-background-on-polychloronated-biphenyls-pcbs

From: Jennifer deNicola [mailto:jd18@me.com]
Sent: Wednesday, November 13, 2013 3:05 PM
To: Wilson, Patrick
Subject: Malibu High

Dear Dr. Patrick Wilson:

My name is Jennifer deNicola and I am with the Malibu Task Force. I would like to speak to you sometime today regarding the situation at Malibu High School before the meeting I have tomorrow morning.

Please call me at 310-848-5400. Anytime is good.

Thank you,

Jennifer deNicola
Malibu Schools Environmental Task Force
310-848-5400
jd18@me.com

Email to Tom Huetteman

From: Jennifer DENICOLA [mailto:jd18@me.com]
Sent: Tuesday, December 08, 2015 10:38 PM
To: Huetteman, Tom <Huetteman.Tom@epa.gov>; Blumenfeld, Jared <BLUMENFELD.JARED@EPA.GOV>; Scott, Jeff <Scott.Jeff@epa.gov>
Cc: Cami Winikoff <cami@sobini.com>; Ken Miller <kmiller@gormanmiller.com>; Hope Edelman <hopeedelman@gmail.com>; Paula Dinerstein <pdinerstein@peer.org>
Subject: Re: questions needing answers

Dear Tom: It is standard practice that the EPA answer (not ignore) questions posed to them by citizens Here is the 2nd request for these 3 questions to be answered.

Jared and Jeff, would you please ensure that these 3 questions are answered by the end of the week?

Thank you,

Jennifer deNicola

On Nov 30, 2015, at 2:56 AM, Jennifer DENICOLA <jd18@me.com> wrote:

Dear Tom:

I came across this email and have some questions:

1: While TSCA regulates certain PCB cleanup, disposal and ongoing use activities, it does not directly regulate air and dust sampling for PCBs. **Does this mean that EPA created a policy to circumvent the law?**

2. In regard to the health-based screening levels for air and dust, those are conservative numbers typically used to make a "no further action" decision. **Please provide me with the scientific research to support such numbers for this health based screening level for air and dust.**

3. Doug Doughty of Environ has stated in a declaration that the EPA has concurred with the overall approach to "implement BMPs to manage materials in place" **Has this EPA changed its regulations to allow the use of PCB items with PCBs over 50 ppm?**

thank you in advance for providing this to us in a timely manner.

Respectfully,

Jennifer deNicola
America Unties for Kids

Begin forwarded message:

From: "Huetteman, Tom" <Huetteman.Tom@epa.gov>
Date: September 3, 2014 at 5:19:08 PM PDT
To: Jennifer DENICOLA <jd18@me.com>
Cc: "Scott, Jeff" <Scott.Jeff@epa.gov>, "Armann, Steve" <Armann.Steve@epa.gov>, "Wilson, Patrick" <Wilson.Patrick@epa.gov>, "Santos, Carmen" <Santos.Carmen@epa.gov>, "Wedell, Kelly" <Wedell.Kelly@epa.gov>, "Lyon, Sandra <slyon@smmusd.org> (slyon@smmusd.org)" <slyon@smmusd.org>, "Maez, Jan" <jmaez@smmusd.org>
Subject: RE: MHS Rooms 301,302,303

Jennifer,

While TSCA regulates certain PCB cleanup, disposal and ongoing use activities, it does not directly regulate air and dust sampling for PCBs. Consistent with EPA's national approach to PCBs in schools, we provide guidance and technical assistance to entities that undertake these activities, such as the District.

Our assistance typically involves reviewing plans and protocols and looking at summary analyses. In this case, as part of our assistance, we have not had cause to directly review the raw data. The District has provided periodic summaries of the data collected, which they posted on their web site, in advance of their final report. We have also twice visited Malibu High School to observe the sampling and other PCB work. These site visits, along with review of the plans and reports submitted by the district, have provided us with sufficient information to assist the District as it implements air and dust sampling and associated best management practices for PCBs.

In regard to the health-based screening levels for air and dust, those are conservative numbers typically used to make a "no further action" decision – i.e., that no additional work is necessary at that location. When testing results are above these numbers, a school or other facility may elect to conduct additional testing, make its own evaluation based on site specific information, or elect to take other steps. In the case of the Malibu schools, the District has so far made a conservative choice to not open facilities until the testing results are below the screening levels.

To date, we have found that the District and its contractor have consistently implemented our guidance and procedures properly. Moreover, the level of voluntary technical assistance so far provided to the District for the PCB activities at the Malibu schools exceeds our typical level of such assistance.

Again, the specific questions you ask about specific rooms are best answered by the District. I am copying the District so that they can be apprised of your questions.

Sincerely,

Tom Huetteman, Assistant Director
RCRA Branch, Land Division, USEPA Region 9
415-972-3751

From: Jennifer DENICOLA [mailto:jd18@me.com]
Sent: Thursday, August 28, 2014 8:35 AM
To: Huetteman, Tom
Cc: Scott, Jeff; Armann, Steve; Wilson, Patrick; Santos, Carmen; Wedell, Kelly; Jennifer deNicola
Subject: Re: MHS Rooms 301,302,303

Tom,

It is your agencies oversight, since our school has violated federal law, so these questions can only be answers by the EPA.

This is information that you should have and be providing to the public when requested. We have asked for the raw data information since June 18 when environ started this project. You and your agency have given me assurances that as soon as the testing was done you will have this information and provide it.

So now I'm asking, you either have this information or you don't.

If you do not have this information, I would like to know that this information has not been provided to you by environ and that you do not have any of the raw data for PCBs testing at Malibu high school or Juan Cabrillo.

If you do not have any of this raw data and have not seen it, then your agency has relied on Environ's interpretation of data to make assurances to the public that the high school and elementary school or safe for occupancy.

Please confirm this, do you have this raw data or not?

In addition, it was under your agencies recommendation to test the air and dust only. Your agency set and approved the screening levels for these tests. So if these tests violated your screening levels, you must of been made aware of what must occur. Or was this procedure after exceeding the screening levels never discussed with the EPA?

We are asking the right agency the right questions about what was done to the two rooms that have exceeded your screening level. 303 and 506

Do not point us to an agency outside of the government to ask a question that the government should very easily know. If you do not have this information, then please specifically tell is that.

If your agency has the raw data, you are a public agency and this information needs to be shared with the public. Please provide is all the raw data you have receive. We all expect your cooperation in this matter.

One again: here is the letter with question for the EPA, if you do not have the answers please indicate that you do not know.

Please explain to me why testing would show higher amount of PCB's by just by moving orchestra risers in 303? PCB's are there in the building materials or they are not there, correct?

Please explain the detailed testing and dates that testing occurred in room 303 since the air levels were way above the EPA benchmark, the EPA must have been concerned.

In addition, at what point will the EPA require source testing? Isn't that why EPA set the benchmarks for air and wipe testing in the first place? Isn't air and wipe testing done as an indication of a PCB source issue in the entire room?

Respectfully,

Jennifer deNicola
Malibu Unites
www.MalibuUnites.com

On Aug 28, 2014, at 7:59 AM, "Huetteman, Tom" <Huetteman.Tom@epa.gov> wrote:

Jennifer,

Thank you for your inquiry about these rooms. I have also seen Kelly's email to you on Tuesday. I believe that her response is appropriate. The detailed questions you are asking are more appropriately directed to the District.

Sincerely,

Tom Huetteman, Assistant Director
RCRA Branch, Land Division, USEPA Region 9
415-972-3751

From: Jennifer DENICOLA [mailto:jd18@me.com]
Sent: Tuesday, August 26, 2014 5:47 PM
To: Wedell, Kelly
Cc: Scott, Jeff; Blumenfeld, Jared; Huetteman, Tom; Armann, Steve; Wilson, Patrick; Santos, Carmen
Subject: Re: MHS Rooms 301,302,303

Kelly,

Thank you for the reply but you failed to answer any of my questions. Redirecting me to the district fails to address the questions specifically addressed to the EPA. If you don't have the answers, would one of your region 9 associates please reply. I have included them again below please address them each specifically.

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On Aug 26, 2014, at 10:21 AM, "Wedell, Kelly" <Wedell.Kelly@epa.gov> wrote:

Kelly,

I have read the exchange below. Please explain to me why testing would be delayed by moving orchestra risers?

Please explain the detailed testing and dates that occurred in to room 303.

In addition, why when a classroom tests above the EPA guidelines set in. Other air and wipe tests isn't the EPA seeing this as an indication of a PCB problem in the room and requiring source testing?

Email to Tom Huetteman

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Sent: Monday, November 30, 2015 2:57 AM
To: Huetteman, Tom <Huetteman.Tom@epa.gov>
Cc: Cami Winikoff <cami@sobini.com>; Ken Miller <kmiller@gormanmiller.com>; Hope Edelman <hopeedelman@gmail.com>; Paula Dinerstein <pdinerstein@peer.org>
Subject: questions needing answers

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